

REMARKS

M.P.E.P. § 2111.01 states as follows:

An applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s). ... Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim.

M.P.E.P. § 2111.01 III.

Here, communication network context is defined as "communication network context is information about the communication mediums available to a service." See page 17, third paragraph, first line. Therefore, there is a clear definition of the term. It is information about available communication mediums.

However, the office action does not interpret the claim in this way. Instead, it is interpreted "dynamically processing and filtering data for adapted content being sent to the mobile client." See office action, page 3, lines 3-4. Thus, reconsideration is respectfully requested since an improper claim construction has been applied.

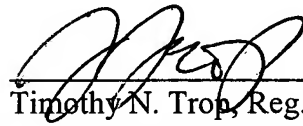
More particularly, none of the cited references teach the consideration of the available communication mediums and prioritizing the plurality of information items based on at least the communication network context. Therefore, reconsideration of the rejection of claim 32 is respectfully requested.

The indication in the final rejection that limitations were argued that were not in the claims should be reconsidered since the limitations that were last argued in the previous response assumed the definition of communication network context as set forth in the specification. Since this is completely proper, the rejection does not meet the substance of the claim.

On the same basis, reconsideration of the other claims would be appropriate.

Respectfully submitted,

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